

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Hideaki ITO, et al.

Attorney Docket No. Q78931

Appl. No.: 10/736,588

Confirmation No.: 5729

Group Art Unit: 1756

Filed: December 17, 2003

Examiner: John A. McPherson

For: PHOTSENSITIVE TRANSFER MATERIAL COMPRISING  
THERMOPLASTIC RESIN LAYER AND INTERMEDIATE LAYER EACH  
HAVING SPECIFIED SURFACE POTENTIAL AND METHOD FOR  
PRODUCING COLOR FILTER

**DECLARATION UNDER 37 C.F.R. § 1.132**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

I, Hideaki Ito, hereby declare and state:

THAT I am a citizen of Japan;

THAT I graduated from Graduate School of Science and Engineering,  
Tokyo Institute of Technology, Department of Chemistry in March,  
1990.

THAT I joined Fuji Photo Film Co., Ltd., in 1990, and since then I  
have been engaged in development of a color filter for a liquid crystal  
display.

THAT I am an inventor of the invention described and claimed in the  
above-identified application;

THAT I am familiar with the prosecution of the above-identified  
application; and

THAT the experimentation set forth below was conducted by me or

DECLARATION UNDER 37 C.F.R. § 1.132  
U.S. Appln. No. 10/736,588

under my direct supervision.

EXPERIMENTATION

The closest specific embodiment disclosed in US 5,292,613, namely, sample (a) of Example 11 in the patent was tested. An absolute value of a surface potential of a separated thermoplastic resin layer of the sample was measured under the condition described in the present specification (at a separation speed of 1 m/min. under an atmosphere of 25°C and 30 % RH). The surface potential was 7.3 kV.

The sample does not satisfy the claimed absolute value of a surface potential. This result shows that US '613 does not inherently disclose the presently claimed invention.

A conductive layer is provided only one side of a temporary support in US '613, and a reduction of electrostatic charge caused by separation is not enough. In order to avoid the electrostatic charge by separation, it is important to provide conductivity to a material on a substrate side.

Date: 2004. 9. 16

Hideaki Ito  
Hideaki Ito